

United States District Court  
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Case Number:

OMAR CARDOZO

MS 11.146 SER

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 30, 2011, in Anoka County, in the State and District of Minnesota, defendant(s)

an alien, who had previously been removed from the United States on or about February 21, 2009, subsequent to a conviction for a felony, namely, conspiracy to commit money laundering, in the Western District of Washington, on January 26, 2009, knowingly and unlawfully was found in the United States without obtaining permission from the Attorney General or the Secretary of Homeland Security to reapply for admission into the United States,

in violation of Title 8, United States Code, Section(s) 1326(a) and (b)(1).

I further state that I am a(n) Deportation Officer and that this complaint is based on the following facts:  
SEE ATTACHED AFFIDAVIT

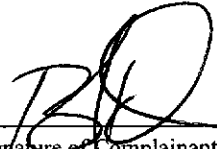
Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

11 April 2011 at

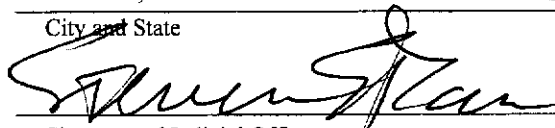
The Honorable Steven E. Rau  
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer

  
Signature of Complainant  
Bradley M. Kuhns  
U.S. ICE

St. Paul, MN

City and State

  
Signature of Judicial Officer

SCANNED

APR 11 2011

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF RAMSEY )

**AFFIDAVIT OF Bradley M. Kuhns**

Bradley M. Kuhns, being duly sworn, deposes and states as follows:


1. I have been employed with Immigration and Customs Enforcement (ICE) within the Department of Homeland Security (DHS) since April 2007. In August 2009, I was promoted to Deportation Officer.
2. As a Deportation Officer, my duties and responsibilities include overseeing the removal proceedings of aliens. I am also responsible for reviewing alien files (commonly known as "A files") in connection with the detention and release of aliens in ICE custody.
3. This Affidavit is based on my training, experience, personal knowledge and discussions with other law enforcement officers and agents directly involved in this investigation, and my review of official reports and documents related to this investigation.
4. This Affidavit is made for the purpose of establishing probable cause in support of a federal arrest warrant, and therefore contains only a summary of relevant facts. Based upon all the facts and information set forth in this Affidavit, I believe that probable cause exists to support that, on or about March 30, 2010, in Anoka County, in the State and District of Minnesota, Omar CARDOZO unlawfully reentered and was found in the United States after having been previously removed, without having obtained the consent of the Attorney General or his successor, the Secretary of Homeland Security, to re-apply for admission to the United States, and that CARDOZO's removal was subsequent to a conviction for commission of an

aggravated felony, in violation of Title 8, United States Code, Sections 1326(a) and 1326(b)(1) and Title 6, United States Code, Sections 202 and 557.

5. On March 30, 2010, CARDOZO was encountered at a traffic stop which was initiated by the Richfield Police Department and the Minnesota Highway Patrol. CARDOZO was administratively interviewed to determine alienage and removability. CARDOZO admitted to having entered the United States without inspection or admittance. CARDOZO was arrested by Immigration and Customs Enforcement Officers and transported to ICE Bloomington for processing.
6. On January 26, 2009, CARDOZO was convicted of the felony offense of Conspiracy to Engage in Money Laundering, in the United States District Court, Western District of Washington in violation of Title 18 U.S. Code 1956(h). On January 26, 2009, CARDOZO was sentenced to one year and one day imprisonment.
7. CARDOZO's immigration file indicates that he has been previously arrested and removed from the United States. On February 21, 2009, CARDOZO was removed from the United States to Mexico at San Ysidro, CA Port of Entry.
8. Law enforcement has confirmed through fingerprints contained in CARDOZO's criminal history and immigration file that the individual named Omar CARDOZO, referenced in those records is, in fact, the same person who is currently in ICE custody and was encountered on March 30, 2010, by Immigration and Customs Enforcement Officers.
9. My investigation has revealed that CARDOZO is a citizen and national of Mexico who makes no claim to United States citizenship or lawful permanent residence status

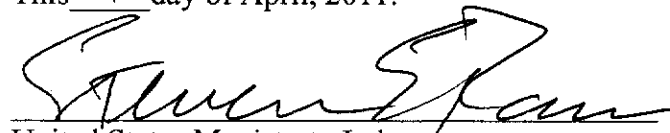
in the United States.

10. My investigation has revealed that since his removal from the United States on February 21, 2009, CARDOZO has not applied for, nor received, permission to enter the United States from the Attorney General, his successor, the Secretary of Homeland Security, or any other designated and authorized representative.
11. Based on these facts, I have reason to believe that Omar CARDOZO unlawfully reentered and was found in the United States after removal, in violation of Title 8, United States Code, Sections 1326(a) and 1326(b)(1) and Title 6, United States Code, Sections 202 and 557. Further Your Affiant Sayeth Not.

  
\_\_\_\_\_  
Bradley M. Kuhns, Deportation Officer  
Immigration and Customs Enforcement

SUBSCRIBED and SWORN to Before Me

This 11 day of April, 2011.

  
\_\_\_\_\_  
United States Magistrate Judge